

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(Northern Division)

WILLIAM A. TACCINO,

*

Plaintiff

*

v.

*

Civil Action No. WMN09CV2921

ALLEGANY COUNTY GOVERNMENT,

*

et al.

*

Defendants

*

*

*

*

*

*

*

*

*

*

*

*

AFFIDAVIT OF LEANNE MAZER

I, Leanne Mazer, certify that:

1. I am over 18 years of age and am competent to testify to the facts set forth herein.

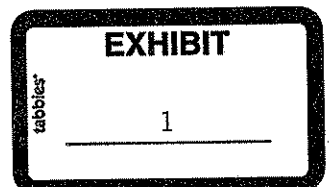
2. I have personal knowledge of the facts set forth herein.

3. I am the Executive Director of Tri-County Council for Western Maryland, Inc.

4. Tri-County Council for Western Maryland, Inc. is a regional economic development organization representing Allegany, Garrett, and Washington counties in Western Maryland.

5. Tri-County Council for Western Maryland, Inc. provides assistance with business development and expansion efforts in Western Maryland.

6. Tri-County Council is structured as a council of governments with members representing both the public and private sectors.



7. Mark Malec has never held the position of Director of Tri-County Council for Western Maryland, Inc.

8. In 2007, Mark Malec was employed as a Business Counselor for Tri-County Council for Western Maryland, Inc.

9. Plaintiff, William A. Taccino applied for a loan through Tri-County Council's Revolving Loan Fund Program ("TCC RLF") on April 11, 2007. The TCC RLF includes the Rural Enterprise Loan Fund, the fund to which Plaintiff's application was submitted. A copy of Plaintiff's Application is attached hereto as Exhibit A.

10. The Rural Enterprise Loan Fund was established as a loan to Tri-County Council from the United States Department of Agriculture – Rural Development under the Intermediary Relending Program for the purpose of making loans to create and/or save jobs in Allegany, Garrett and Washington Counties.

11. After the TCC RLF application form is submitted, it is analyzed by staff and presented to and reviewed by the Rural Enterprise Loan Review Committee.

12. The Rural Enterprise Loan Review Committee is comprised of five members. Mark Malec was never a member of the Rural Enterprise Loan Review Committee.

13. William Taccino's RLF application was reviewed by the Loan Review Committee.

14. The staff recommendation to deny William Taccino's RLF application was affirmed by a majority of the members of the committee, and a letter of denial was sent to William Taccino on June 22, 2007. A copy of the correspondence is attached hereto as Exhibit B.

15. The Loan Review Committee rejected Mr. Taccino's request for RLF funds because [REDACTED]

[REDACTED] A copy of Plaintiff's credit report is attached hereto as Exhibit C.

16. [REDACTED]

17. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

18. [REDACTED]
[REDACTED]

19. [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

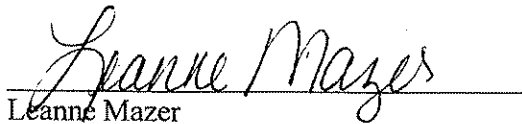
20. [REDACTED]


21. Mr. Taccino's purpose for requesting the RLF funds was to start an antique car restoration business in Allegany County, Maryland. The funds were to be used to purchase the real property at issue in this lawsuit, to acquire equipment and to be used for working capital.

22. The real property intended to be acquired with the RLF funds had zoning issues which precluded its use for auto restoration. The zoning issues had not been

resolved at the time the application was evaluated by the Rural Enterprise Loan Review Committee.

23. The prior owners of the real property defaulted on a similar loan with Tri-County Council causing a lien to be placed on the real property. The lien was discharged through bankruptcy of the prior owner before Mr. Taccino's RLF submission. The Rural Enterprise Loan Review Committee had no awareness of the prior Tri-County Council loan.


Leanne Mazer


Date